

- 30. (New) A compensator for a liquid crystal display, said compensator comprising a plurality of layers, each layer in accordance with claim 7, wherein the tilt angles of adjacent said layers vary in a positive sense and a negative sense respectively.
- 31. (New) The compensator of claim 6 further comprising one or more A-plate layers. --
- 32. (New) The compensator of claim 7 further comprising one or more A-plate layers. --
- 33. (New) The compensator of claim 8 further comprising one or more A-plate layers. --
- 34. (New) The compensator of claim 12 further comprising one or more A-plate layers. --
- 35. (New) The compensator of claim 6 further comprising one or more C-plate layers. --
- 36. (New) The compensator of claim 7 further comprising one or more C-plate layers. --
- 37. (New) The compensator of claim 8 further comprising one or more C-plate layers. --
- 38. (New) The compensator of claim 12 further comprising one or more C-plate layers. --

### **REMARKS**

Claims 1, 3 through 9, and 11 through 38 are currently pending in this application. Claims 3, 4, 8, 9, 11, 14, 15, and 23 have been amended. New claims 25 through 38 have been added. Reconsideration of the pending claims in light of the above amendments and the following remarks is requested.

### Remarks Concerning Allowed Claims 1, 3-9, 11 and 12

Claims 1, 5 through 7, and 12 have been allowed by the Examiner. These claims have not been amended in this response.

Claim 3, as allowed by the Examiner, was in multiple dependent form. Claim 3 has been amended (see above) to remove the claim's multiple dependency. Amended claim 3 and new claims 25 and 26 claim the same subject matter as allowed by the Examiner.

Claim 4, as allowed by the Examiner, was in multiple dependent form. Claim 4 has been amended (see above) to remove the claim's multiple dependency. Amended claim 4 and new claims 27 and 28 claim the same subject matter as allowed by the Examiner.

Claim 8, as allowed by the Examiner, is an independent claim with a Markush clause. This position is in agreement with 35 U.S.C. § 112, which defines a dependent claim as one which *further* restricts its parent claims. No part of claim 8 restricts the subject matter of the enumerated claims 5, 6, or 7. Claim 8, as amended above, places claim 8 in proper Markush format. (See also M.P.E.P. § 803.02.) Specifically, independent claim 8 is directed to a multilayer compensator, any one layer of which could be in accordance with a compensator layer in accordance with any one of claims 5, 6, or 7.

Claim 9, as allowed by the Examiner, was in multiple dependent form. Claim 9 has been amended (see above) to remove the claim's multiple dependency - incorporating the subject matter of claim 5 explicitly. Amended claim 9 and new claim 29 claim the same subject matter as allowed by the Examiner.

Claim 11, as allowed by the Examiner, was in multiple dependent form. Claim 11 has been amended (see above) to remove the claim's multiple dependency - incorporating the subject matter of claim 6 explicitly. Amended claim 112 and new claim 30 claim the same subject matter as allowed by the Examiner.

### **Remarks Concerning Objections to Claims 14, 15, 23, and 24**

Claims 14, 15, 23, and 24 were "objected to under 37 C.F.R. § 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim." (In the Office Action see page 3, ¶ 3.)

Claim 14 has been amended above and, together with new claims 31, 32, 33, and 34 claim substantially the same subject matter as claim 14 (as amended in the Assignee's *Amendment and Response to Office Action of 21 September 1995*, filed on 22 January 1996).

Claim 15 has been amended above and, together with new claims 35, 36, 37, and 38 claim substantially the same subject matter as claim 14 (as amended in the Assignee's *Amendment and Response to Office Action of 21 September 1995*, filed on 22 January 1996).

Claim 23 is an independent claim which contains a Markush clause. This position is in agreement with 35 U.S.C. § 112, which defines a dependent claim as one which *further* restricts its parent claims. Further, since claim 8 is also an independent claim (see discussion above) it may be properly recited in claim 23. (See also M.P.E.P. § 803.02.) Claim 23, as amended above, incorporates into its Markush clause new claims 25 through 38.

The Examiner's objection of claim 24 is believed to be moot in light of the Assignee's removal (by the above amendments) of all multiple dependent claims.

In light of the above amendments and remarks, the Assignee submits that the alleged claim objections have been overcome and respectfully requests these objections be withdrawn.

### **Remarks Concerning Rejection of Claim 13 Under 35 U.S.C. § 112**

Claim 13 was rejected under 35 U.S.C. § 112, ¶ 1, for allegedly lacking support in the specification. The Examiner appears to assert that the specification does not disclose how to make a compensator in which the individual birefringent layers in a multilayer compensator can act as alignment layers to subsequently formed birefringent layers.

Claim 13 is directed to a liquid crystal display whose compensator structure is comprised of a plurality of layers (see preamble), wherein each layer comprises a birefringent material (see ¶ a), and a specified birefringent layer aligns the moieties of liquid crystal material in an adjacent layer (see ¶ d).

The Examiner's rejection appears to be based on a misunderstanding of the difference between an *alignment layer* as shown in FIG. 12 (element 1205, described at page 24, lines 13-15), FIG. 13 (element 1305, described at page 27, lines 15-21), and FIG. 14 (element 1405, described at page 29, lines 23-25) and the claimed characteristic of one birefringent layer *aligning* a another birefringent layer.

A liquid crystal display comprising a multilayer compensator in accordance with paragraphs (a) through (d) of claim 13 is clearly described in the specification in section 5.4 (page 29, line 14, to page 31, line 17) and in FIG. 14. Specifically, the specification at page 31, lines 4 through 12 recites the following:

In this particular embodiment, the layer 1415 is identical to the layer 1425, and layer 1420 is identical to layer 1430. **The present invention, however, encompasses a multilayer embodiment in which the magnitude and sign of the tilt, splay and/or twist orientations of the successive and/or alternating layers are different in magnitude and/or in sign.** Each successive layer is deposited over the preceding layer after the preceding layer has been cured with UV radiation. **Each succeeding layer can be azimuthally aligned and pretilted at the interface by the preceding layer.** Other methods of polymerizing the succeeding layers may also be used. These could include thermal cure and other irradiation techniques.

(Emphasis added.)

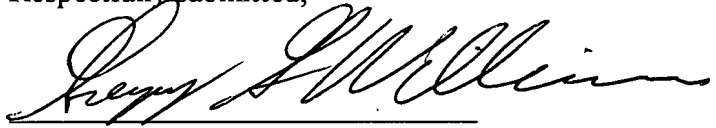
In light of the above remarks, the Assignee submits that the alleged section 112 rejections have been overcome and respectfully requests this rejection be withdrawn.

### CONCLUSION

The preceding amendments and remarks are believed to place all pending claims in condition for immediate allowance. Therefore, reconsideration and allowance of all claims is respectfully requested.

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Respectfully submitted,



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